PTO/SB/64 (07-05)

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## THE REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional) NEU-00120.P.1

RECEIVED First named inventor: VINEY et al. Art Unit: To be determined Application No.: 10/009,062 Filed: December 6, 2001 Examiner: To be determined International Division

Title: GENE EXPRESSION MODULATED IN GASTROINTESTINAL INFLAMMATION

02/10/2006

TBESHAH1 00000020 10009062

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750.00 OP

Attention: Office of Petitions **Mail Stop Petition** Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300

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NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee:
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1.Petition fee  ✓ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
Other than small entity – fee \$ (37 CFR 1.17(m))
Reply and/or fee     A. The reply and/or fee to the above-noted Office action in     the form of submission of Sequence Listing (paper copy and diskette) (identify type of reply):
has been filed previously on is enclosed herewith.
B. The issue fee and publication fee (if applicable) of \$ has been paid previously on is enclosed herewith.
[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Terminal disclaimer with disclaimer fee		
Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.		
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for other than a small entity) disclaiming the required period of tim PTO/SB/63).	for a small entity or \$e is enclosed herewith (see	
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
Thu D. Gr	1-31-06	
Signature	Date	
Do Wesser Verse		
Typed or printed name	Registration Number, if applicable	
Neurome, Incorporated	858-677-0466	
Address	Telephone Number	
11149 North Torrey Pines Rd. Suite 100, San Diego, CA 92037-1031  Address  Enclosures: Fee Payment  Reply		
Terminal Disclaimer Form		
Additional sheets containing statements establishing unintentional delay		
Other: Declaration, Sequence Listing (paper copy and diskette), and Postcard		
CERTIFICATE OF MAILING OR TRANSMISSION	N [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:  Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.		
Transmitted by facsimile on the date shown below to the Unoffice as (571) 273-8300.	nited States Patent and Trademark . Signature	
Typed or printed n	ame of person signing certificate	